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AN ACT

RELATING TO THE MILITARY; PROVIDING IN-STATE TUITION AND FEES TO FAMILIES OF NATIONAL GUARD MEMBERS AND FAMILIES OF CERTAIN MEMBERS OF THE ARMED FORCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. RESIDENT TUITION FOR FAMILIES OF MEMBERS OF THE ARMED FORCES.--

A. A spouse or child of an active member of the armed forces who is assigned to duty in New Mexico shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning.

B. A spouse or child of an active member of the armed forces who is assigned to duty elsewhere immediately following assignment to duty in New Mexico shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning as long as the spouse or child resides continuously in New Mexico.

C. A spouse or child of an active member of the armed forces who dies or is killed shall be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning if the spouse or child becomes a resident of New Mexico within sixty days of the date of death.

1 D. If an active member of the armed forces is
2 stationed outside New Mexico and the member's spouse or child
3 establishes residence in New Mexico and files with a state
4 institution of higher learning at which the spouse or child
5 plans to register a letter of intent to establish and
6 continue residing in New Mexico, the spouse or child shall be
7 deemed an in-state resident for purposes of determining
8 tuition and fees at that state institution of higher learning
9 without regard to length of time that the spouse or child has
10 resided in the state.

11 E. A spouse or child of an active member of the
12 armed forces who pays tuition and fees at the rate provided
13 for New Mexico residents under this section is entitled to
14 pay tuition and fees at the rate provided for New Mexico
15 residents in any subsequent term or semester while the person
16 is continuously enrolled in the same degree or certificate
17 program. For purposes of this subsection, a person is not
18 required to enroll in a summer term to remain continuously
19 enrolled in a degree or certificate program. A person's
20 eligibility to pay tuition and fees at the rate provided for
21 New Mexico residents under this subsection does not terminate
22 because the person is no longer a child or spouse of a member
23 of the armed forces.

24 F. As used in this section, "armed forces" means
25 the United States army, navy, air force, marine corps or

1 coast guard.

2 Section 2. Section 20-4-14 NMSA 1978 (being Laws 1987,
3 Chapter 318, Section 31) is amended to read:

4 "20-4-14. RESIDENT TUITION.--An active member of the
5 national guard and the member's spouse and children shall be
6 deemed in-state residents for purposes of determining tuition
7 and fees at all state institutions of higher learning."

SB 921
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